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recording means for recording condition information, which represents image processing conditions for the different kinds of digital cameras, the image processing conditions including values for at least one of gradation correction and color correction of the digital image signals;

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selection means for selecting optimum image processing conditions from the condition information, in accordance with the camera kind information; and

image processing means for carrying out image processing on the digital image signals under the selected optimum image processing conditions.

# **REMARKS**

## **Summary of the Office Action**

Claims 1, 4, 6 and 10 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,493,332 to Dalton et al. (hereinafter "Dalton").

Claims 2, 5, 8 and 11 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dalton.

Claims 3 and 9 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dalton in view of U.S. Patent No. 5,488,414 to Hirasawa et al. (hereinafter "Hirasawa").

## **Summary of the Response to the Office Action**

Applicant has amended claims 1 and 6. Accordingly, claims 1-6 and 8-11 are pending for further consideration.

**All Claims Define Allowable Subject Matter**

Claims 1, 4, 6 and 10 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Dalton. Claims 2, 5, 8 and 11 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dalton. Claims 3 and 9 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dalton in view of Hirasawa. To the extent that the Examiner may consider any of these rejections to apply to the newly amended claims, the rejections are traversed as being based upon references that neither teach nor suggest the novel combination of features now clearly recited in newly amended claims 1 and 6, and hence dependent claims 2-5 and 8-11.

Amended claims 1 and 6, and hence dependent claims 2-5 and 8-11, recite a combination of elements including “recording condition information, which represents image processing conditions for the different kinds of digital cameras, the image processing conditions including values for at least one of gradation correction and color correction of the digital image signals.” This is supported by the description at least at page 11, lines 14-16 of the specification.

In contrast to Applicant’s claimed invention, CPU 27 in the camera head of Dalton merely stores characterization parameters for individual CCDs that are described on column 4, line 50 – column 5, line 43. The arrangement of Dalton merely facilitates camera head replacement and adjustment of operating parameters for the imager once installed. Accordingly, Applicant respectfully submits that Dalton neither teaches nor suggests recording condition information, which represents image processing conditions for the different kinds of digital

cameras, the image processing conditions including values for at least one of gradation correction and color correction of the digital image signals, as recited in newly amended claims 1 and 6.

For at least the above reasons, Applicant respectfully requests that the rejections of Claims 1, 4, 6 and 10 under 35 U.S.C. §102(b) and claims 2, 5, 8 and 11 under 35 U.S.C. §103(a) based on Dalton be withdrawn because Dalton does not teach or suggest each feature of independent claims 1 and 6, as amended, and hence dependent claims 2, 5, 8 and 11.

In rejecting claims 3 and 9, the Office Action relies upon Hirasawa for a teaching of displaying the different kinds of cameras. Newly amended claims 3 and 9 depend from and thus incorporate all of the features of claims 1 and 6, including the above cited feature of claims 1 and 6, as amended. Since Hirasawa does not teach or suggest at least this feature of claims 1 and 6, as amended, Applicant respectfully requests that the rejections of claims 3 and 9 under 35 U.S.C. §103(a) based on Dalton in view of Hirasawa be withdrawn at least because neither of the references, whether taken alone or in combination, teach or suggest each feature of independent claims 1 and 6, as amended.

With no other rejection pending, Applicant respectfully asserts that claims 1-6 and 8-11 are allowable.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached pages are captioned **“Version with markings to show changes made.”**

**CONCLUSION**

In view of the foregoing, Applicant respectfully requests the entry of the amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal.

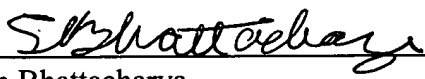
Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Claims 1 and 6 have been amended as follows:

1. (Twice Amended) An image processing method for carrying out image processing on digital image signals, which have been acquired with different kinds of digital cameras, the method comprising the steps of:  
  
    reading the digital image signals;  
  
    receiving camera kind information, which represents the different kinds of digital cameras;  
  
    recording condition information, which represents image processing conditions for the different kinds of digital cameras, the image processing conditions including values for at least one of gradation correction and color correction of the digital image signals;  
  
    selecting optimum image processing conditions from the condition information, in accordance with the camera kind information; and  
  
    carrying out image processing on the digital image signals under the selected optimum image processing conditions.

6. (Twice Amended) An image processing apparatus for carrying out image processing on digital image signals, which have been acquired with different kinds of digital cameras, the apparatus comprising:

input means for reading the digital image signals and receiving camera kind information, which represents the different kinds of digital cameras;

recording means for recording condition information, which represents image processing conditions for the different kinds of digital cameras, the image processing conditions including values for at least one of gradation correction and color correction of the digital image signals;

selection means for selecting optimum image processing conditions from the condition information, in accordance with the camera kind information; and

image processing means for carrying out image processing on the digital image signals under the selected optimum image processing conditions.